

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Case No. 24-00249-01-CR-W-HFS
)
WALLACE MARTIN, III,)
)
Defendant.)

**REPORT AND RECOMMENDATION
CONCERNING PLEA OF GUILTY**

Defendant Wallace Martin, III appeared before me pursuant to Fed.R.Crim.P. 11, Local Rule 72.1(b)(1)(J), and 28 U.S.C. § 636 and entered a plea of guilty pursuant to Fed.R.Crim.P. 11(c)(1)(A) and (B) to a lesser-included offense of Count Two of the Indictment, charging him with a violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), that is, possession with intent to distribute Phencyclidine (PCP), and Count Three of the Indictment, charging him with a violation of 18 U.S.C. § 924(c)(1)(A)(i), that is, possession of firearms in furtherance of a drug trafficking offense. The Plea Agreement states that the Government agrees to dismiss Count One of the Indictment at sentencing.

I determined that the guilty plea is knowledgeable and voluntary and that the offenses charged are supported by an independent basis in fact containing each of the essential elements of such offenses. A record was made of the proceeding, and a transcript has been requested.

Based on the foregoing, it is

RECOMMENDED that defendant Wallace Martin, III's plea of guilty be accepted and that defendant Martin be adjudged guilty and have sentence imposed accordingly.

Failure to file written objections to this Report and Recommendation within fourteen days from the date of its service shall bar an aggrieved party from attacking such Report and Recommendation before the assigned United States District Judge. *See* 28 U.S.C. § 636(b)(1).

/s/ Lajuana M. Counts

Lajuana M. Counts
United States Magistrate Judge